



STATE OF TENNESSEE
DEPARTMENT OF ENVIRONMENT AND CONSERVATION
Division of Water Resources
312 Rosa L. Parks Avenue 11th Floor
Nashville, Tennessee 37243

February 21, 2024

Certified Mail
7020 3160 0001 2284 7311

Alan Burgess, #644
Burgess Water Well
95 St Rt 131
Mayfield, KY 42066

Re: **PLEASE BE ADVISED (Case #130641)**
Failure to Submit Driller Reports
Failure to Submit Notice of Intent (NOI) Fee

Dear Mr. Burgess:

The TDEC, Division of Water Resources (Division) conducted a review of your Notices of Intent (NOI).

Upon review of Division files, we discovered that you have sixteen (16) Pending NOIs that are more than 60 days old, and for which the Division have not received a driller report or NOI fee payment. One (1) outstanding NOI has an unpaid fee of \$75 and all 16 of the driller reports associated with these pending NOIs are over 60 days past due according to the planned drill dates submitted on the NOIs.

Please see **Enclosure 1** to review your NOI submittals that are listed as "Pending" in the Division's database. **Enclosure 2** is a completed Form CN-1029 Payment Summary form that we received from you on July 3, 2023. NOI fees were paid but no driller reports were or have been received.

A pending NOI is a NOI for which the Division has not received a corresponding Driller Report and/or NOI fee payment.

An email was sent to all the licensed drillers and pump & treatment system installers on February 8, 2023, with the subject line of *Notices of Intent - Public Data Viewer*. There were instructions on how drillers could use the data viewer to look up their NOIs. Another section of the same data viewer allows drillers to look up their wells. If you need help using that to look up wells, please contact us.

Rule 0400-45-09-.10(1) states, in part:

(b) Every well driller, within sixty (60) days after completion of a water well, shall submit a report on the construction of the well to the Department.

(d) The \$75.00 Notice of Intent fee shall accompany the submission of the driller's report.

CORRECTIVE ACTION:

You are required to submit all late NOI fees and driller reports to the Division by March 11, 2024.

If there are any NOIs on the list for which you did not drill a well and do not plan to drill a well in the future, please submit a written statement with the Driller Reports listing these NOIs so that we may void them from our records. You may email this written statement.

Use the enclosed blank Form CN-1029 Payment Summary form (**Enclosure 3**) when submitting your driller reports and remaining NOI payment. Please ensure that your submission is made in an orderly fashion (e.g. order by date drilled or by Driller Tag number), and include the NOI ID, so we can expedite the reconciliation of these pending records.

If you have any questions regarding this correspondence, please contact Ashby Barnes at Ashby.Barnes@tn.gov or (615) 532-0176.

Sincerely,

A handwritten signature in blue ink that reads "Ashby Barnes". The signature is written in a cursive, flowing style.

Ashby Barnes, P.G.
TDEC, Division of Water Resources
Drinking Water Unit

Cc: Jessica Murphy, Compliance and Enforcement Unit, Water Resources NCO
Jackson EFO – Conner Franklin, Will Little

Enclosures:

List of Pending NOIs – August 8, 2018 to Present
Payment Summary Sheet – 7/3/2023
Form CN-1029 Tennessee Water Well Drillers Payment Summary